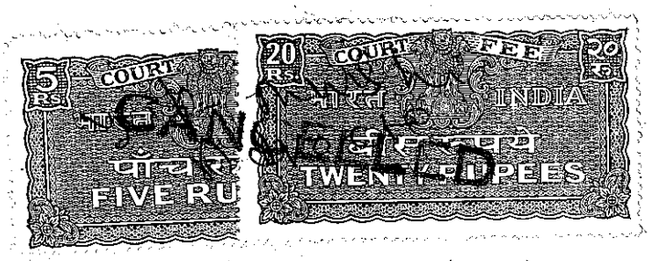


IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

Writ Petition (Mandamus/Prohibition/Certiorari/
Quo-Warrant) No. 412 of 1995

BETWEEN

Thakcers H.P. & Company, a registered partnership firm through Partner Shri Hemendra Kumar Son of Late Shri Dayalal carrying on its business at Malviya Road Raipur, Tahsil and District Raipur, M.P. ...PETITIONER

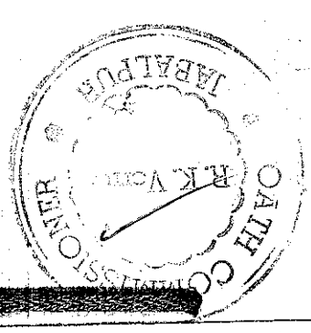
VERSUS

1. Union of India, through the Secretary Union Ministry of Telecommunication, Telecom Commission, Sanchar Bhawan, Ashoka Road, New Delhi-110011

2. Shri R.N. Goyal, The Chief General Manager, M.P. Circle, Telecom Commission, Bhopal.

3. Telecom District Manager, O/O the Telecom District Manager, Raipur Auto Exchange, G.E. Road, Raipur, Tahsil and District Raipur, M.P.

4. Accounts Officer (TR), Office of Telecom Divisional Manager, G.E. Road, Raipur, Tahsil and District, Raipur, M.P. ...RESPONDENTS



PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(59)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.412/95 **सन्** ~~200~~

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

9-8-2005

Mr. B.P. Sharma, counse for the petitioner.

Mr. Raghavendra Pradhan, Central Government Counsel for the respondents.

Heard both the counsel.

By the instant writ petition under Articles 226 & 227 of the Constitution of India, the petitioner has questioned the propriety of notice dated 14-12-1994 (Annexure P-1), whereby the petitioner has been asked to deposit the security amount of Rs.30,000/-, against telephone connection No.534406.

Learned counsel for the petitioners submit that it is true that the bill of the petitioner is around about Rs.10,000/- per month, but the petitioner is regularly depositing the amount, therefore, there was no ground for the respondents to enhance the security deposit without hearing the petitioner. Learned counsel relied upon the decision of Karnataka High Court in the matter of **K. Channappa and others vs. The Union of India and others** reported in **AIR 1991 Karnataka 18**, wherein the Court held that before issuance of the notice of enhancement in the facts and circumstances of the case, the telephone authorities ought to have given opportunity of hearing to the petitioners.

In view of the above order and looking to the facts and circumstances of the present case, the petitioner is directed to make a

XI-HC-22

(60)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...W.P.412/95... **सन्** ~~200~~

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

representation to respondent No.3 raising all his points within a period of four weeks from today and in turn, respondent No.3 shall decide the representation in an objective manner after considering the points raised by the petitioner, in accordance with law. Till the representation of the petitioner is decided the respondents should not insist upon the deposit of security amount as per the notice.

With the above observation and directions, the writ petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Soma

(पीछे देखिये)

18.8.05 Putney.